

## Message Text

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PAGE 01 STATE 214389

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C O N F I D E N T I A L STATE 214389

FOLLOWING TEL SENT ACTION SECSTATE INFO LONDON, MONTREAL, PARIS,  
VIENNA, IAEA VIENNA, USUN NEW YORK FROM GENEVA AUG 24:

QUOTE C O N F I D E N T I A L GENEVA 6758

MONTREAL FOR ICAO: PARIS FOR UNESCO

E.O. 11652: GDS  
TAGS: PFOR, VN, UN  
SUBJECT: PARTICIPATION OF SOCIALIST REPUBLIC OF VIETNAM IN UN  
SPECIALIZED AGENCIES AND IAEA

REF: (A) GENEVA 4102; (B) GENEVA 5966; (C) STATE 206092

1. SUMMARY. ORGANIZATIONS IN GENEVA HAVE RECEIVED NOTIFICATIONS  
OF UNIFICATION OF SOCIALIST REPUBLIC OF VIETNAM AND, GIVEN  
CONFUSED HISTORIES OF VIETNAMESE REPRESENTATION IN THEIR  
ORGANIZATIONS AND OTHER COLLATERAL PROBLEMS, SECRETARISTS ARE  
COMPARING NOTES AND TRYING NOW TO SORT OUT CORRECT PROCEDURES.  
END SUMMARY.

2. MISSION REPORTED (REFS A AND B) ON THE CHANGES IN VIETNAMESE  
REPRESENTATION IN GENEVA.

3. DURING JULY GENEVA ORGANIZATIONS RECEIVED CORRESPONDING  
NOTIFICATIONS OF UNIFICATION OF SOCIALIST REPUBLIC OF VIETNAM  
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PAGE 02 STATE 214389

(SRV). ONLY TEXT WHICH HAS COME INTO OUR HANDS IS EXCHANGE

BETWEEN SRV CHARGE HYNK CONG TAM AND WMO SECRETARY GENERAL DAVID ARTHUR DAVIES IN WHICH TAM STATES QUOTE IN ACCORDANCE WITH THE INSTRUCTIONS OF MR. NGUYEN DUY-TRINH, MINISTER OF FOREIGN AFFAIRS OF THE SOCIALIST REPUBLIC OF VIET NAM, I HAVE THE HONOR TO INFORM YOU THAT THE DEMOCRATIC REPUBLIC OF VIET NAM AND REPUBLIC OF SOUTH VIET NAM HAVE UNIFIED TO FORM THE SOCIALIST REPUBLIC OF VIET NAM AND THAT THE LATTER WILL CONTINUE TO ASSUME THE STATUS OF OFFICIAL MEMBERSHIP WITHIN THE WORLD METEOROLOGICAL ORGANIZATION (WMO) OF THE DEMOCRATIC REPUBLIC OF VIET NAM AND THE REPUBLIC OF SOUTH VIET NAM UNQUOTE AND DAVIES IN RESPONSE NOTED INFORMATION AND INFORMED TAM QUOTE THE GOVERNMENTS OF THE MEMBERS OF THE ORGANIZATION HAVE BEEN NOTIFIED OF YOUR COMMUNICATION AND I SHALL NOT FAIL TO BRING IT TO THE NOTICE OF THE CONGRESS AND THE EXECUTIVE COMMITTEE OF THE ORGANIZATION IN DUE COURSE UNQUOTE. COMMUNICATION FORM TAM TO WIPO SECRETARY GENERAL APPARENTLY CONVEYED LETTER FROM FOREIGN MINISTER ANNOUNCING UNIFICATION AND FORMATION OF SRV. HIS COMMUNICATION TO ILO DID NOT. SITUATION IN ITU IS ESPECIALLY OBSCURE. IN EARLY JULY ITU RECEIVED INSTRUMENT OF ACCESSION TO ITU BASIC INSTRUMENT MALAGA/TORREMOLINOS CONVENTION, ON BEHALF OF PRG DATED APRIL 1976. IN LATE JULY ACTING SECRETARY GENERAL BUTLER RETURNED INSTRUMENT TO TAM NOTING THAT IT APPEARED TO BE OVERTAKEN BY EVENTS AND ITU HAS HEARD NOTHING FURTHER FROM HIM SINCE DEPARTMENT WILL RECALL SITUATION IN WHICH BOTH VIETNAMS WERE REPRESENTED AT WORLD HEALTH ASSEMBLY OF WHO IN MAY (GENEVA 3747).

4. LEGAL ADVISERS OF MOST UN-AFFILIATED INTERNATIONAL ORGANIZATIONS MET IN GENEVA IN FIRST WEEK OF JULY TO LOOK AT OVERALL QUESTION OF VIETNAMESE REPRESENTATION AND COMPARE PROBLEMS EACH HAD. MEMBERSHIP QUESTION APPEARED TO RESOLVE INTO THREE CATEGORIES: (A) ORGANIZATIONS IN WHICH ALL OF VIETNAM (NORTH AND SOUTH) HAS BEEN REGARDED AS MEMBER FROM BEGINNING (ILO, FAO, AND UPU CITED); (B) ORGANIZATIONS IN WHICH BOTH DEMOCRATIC REPUBLIC OF VIETNAM AND REPUBLIC OF SOUTH VIETNAM HOLD MEMBERSHIP (WHO AND WMO); AND (C) ORGANIZATIONS TO WHICH GVN ACCEDED TO MEMBERSHIP.

5. COMMENTING ON CIRCUMSTANCES IN ILO WHICH CAUSE VIETNAM AS WHOLE TO BE REGARDED NOW AS A MEMBER OF THE ORGANIZATION, ILO LEGAL ADVISER EXPLAINED THAT IN 1950 WHILE INDEPENDENCE NEGOTIATIONS WERE UNDERWAY FRANCE HAD SUBMITTED DECLARATION (SIMILAR TO OTHERS CONFIDENTIAL

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PAGE 03 STATE 214389

SUBMITTED DURING THAT PERIOD ON BEHALF FRG AND JAPAN) STATING THAT SO FAR AS FRANCE WAS CONCERNED VIETNAM COULD BE CONSIDERED AS FREE AND SOVEREIN COUNTRY FOR PURPOSES OF ACCESSION TO ILO. AS NON-MEMBER OF UN APPLICATION WAS PUT TO 1950 ILO CONFERENCE (AT TIME WHEN USSR HAD NOT YET JOINED ILO) AND WAS ACCEPTED. (LEGAL ADVISER ASSUMED REPRESENTATIVES OF BAO DAI REGIME THEN ACCREDITED.) REPRESENTATIVES OF REPUBLIC OF VIETNAM SUBSEQUENTLY OCCUPIED VIETNAM CHAIRS IN THIS TRIPARTITE ORGANIZATION, AND

CHALLENGES TO THEIR CREDENTIALS WHICH OCCURED OVER THE YEARS WERE NOT SUSTAINED.

6. INVITATION AND CREDENTIALS PROBLEMS ARE DIVERSE, THEREFORE, WITH IAEA EVIDENTLY UNDER GREATEST PRESSURE BECAUSE PLENARY CONFERENCE IS SCHEDULED FOR SEPTEMBER. ALL LEGAL ADVISERS REPORTED THAT COMMUNICATIONS WITH VIETNAMESE REPRESENTATIVES HAD NOT BEEN GOOD, ALTHOUGH TECHNICAL ORGANIZATIONS ACCUSTOMED IN ONE DEGREE OR ANOTHER TO CORRESPONDING DIRECTLY WITH NATIONAL ADMINISTRATIONS, RATHER THAN GOING THROUGH FOREIGN MINISTRIES, APPARENTLY WERE EXPERIENCING LESS PROBLEMS.

7. OTHER PROBLEMS HIGHLIGHTED BY LEGAL ADVISERS WERE: WHO WAS CONTRACTING PARTY FOR AUTHORIZED TECHNICAL ASSISTANCE PROGRAMS (FAO)?; WHERE ARE RESPONSIBILITIES UNDER CONVENTIONS VESTED (WIPO, ILO)?; HOW WILL ARREARAGES IN CONTRIBUTIONS BE ASSESSED? (NORTH VIETNAM HAS PAID ITS CONTRIBUTION INWHO, WHILE SOUTH VIETNAM HAS NOT); HOW SHOULD ASSESSMENT SCALES BE ADJUSTED? BANKS REPORTED SPECIAL PROBLEMS CONCERNING DEBTOR RESPONSIBILITY, DRAWING RIGHTS, AND SUBSCRIPTIONS. WIPO HAS IMPOUNDED SOME 100,000\$ DUE SVN AS DEPOSIT FEES UNDER COPYRIGHT CONVENTIONS WHICH, DESPITE PRESSURES FROM SRV REPS IN GENEVA, IT DOES NOT FEEL CAN BE PAID UNTIL CORRECT ASSURANCES CAN BE OBTAINED THAT PROVISIONS OF CONVENTIONS WILL BE ENFORCED.

8. COMMENT. IT IS PROBABLY INACCURATE TO SAY OFFICIALS OF INTERNATIONAL ORGANIZATIONS HAVE TENDED TO ACT ON ASSUMPTION THAT SRV HAS INDEED SUCCEEDED TO THE GVN SEAT (REF C). WHILE THIS SURELY IS THEIR ULTIMATE ASSUMPTION, OFFICIALS HERE APPEAR TO BE PROCEEDING WITH CONSIDERABLE CAUTION AND A CLOSE EYE TO SUCH CONSIDERATIONS AS THOSE OUTLINED ABOVE. CATTO UNQUOTE KISSINGER

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